

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CRIMINAL NO. 10-30098-DRH
vs.)	
)	
TIMOTHY P. KEBEL,)	
)	
Defendant.)	

**PRELIMINARY ORDER FOR FORFEITURE PURSUANT
TO FED.R.CRIM.P. 32.2 WITH RESPECT TO
CERTAIN COMPUTER EQUIPMENT OF TIMOTHY P. KEBEL**

In the Indictment filed in the above cause on June 23, 2010, the United States sought forfeiture of property of defendant, Timothy P. Kebel. The court, upon consideration of the finding of guilt in this matter and of the evidence received in this cause, hereby finds by a preponderance of the evidence that the following property is forfeitable and hereby orders forfeited the following property:

One Sony Vaio laptop computer bearing serial number CXSMM01BRD02D110 with a Hitachi internal disk bearing serial number X0GH6RTE; and

One Sony Vaio desktop computer bearing serial number 3008284 with a Western Digital internal disk bearing serial number WMANK1377613..

The United States shall provide notice of the forfeiture and the right of persons other than the defendant who have any claim or legal interest in any of the property to file a petition with the Court. Said notice shall be provided in a manner consistent with Supplemental Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The notice shall state that the petition shall be set for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of

perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts supporting the petitioner's claim and the release.

The United States shall, also to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order for Forfeiture, as a substitute for the published notice to those persons so notified.

Upon the filing a petition alleging the third-party interests in the property, the court may amend this order to resolve the claimed third-party interests.

The United States Marshal shall seize and reduce to his possession, if he has not already done so, the above-described property.

This Order, pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, shall become final with respect to Defendant Timothy P. Kebel at the time of the Defendant's sentencing, regardless of whether or not the rights of actual or potential third-party petitioners have been determined by that time. This Order shall be made part of the sentence of Defendant Timothy P. Kebel and shall be included in the Judgment imposed against said Defendant. This Order is a final order with respect to said Defendant, and this Order may be amended with respect to petitions filed by third-parties claiming an interest in the subject-matter forfeited property.

DATE: September 8, 2010

/s/ David R. Herndon

**Chief Judge
United States District Court**